

for Roanoke
FILED
DEC - 9 2008
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

| | | |
|---|---|--|
| JAMES J. ROYAL, Plaintiff, |) | Civil Action No. 7:08-cv-00222 |
| |) | |
| |) | |
| v. |) | <u>FINAL ORDER</u> |
| |) | |
| KATHLEEN J. BASSETT, et al., Defendants. |) | By: Hon. Jackson L. Kiser Senior United States District Judge |

In accordance with the written memorandum opinion entered this day, it is hereby

ORDERED

that plaintiff's motion to amend his complaint (docket #39) is **GRANTED**; Dr. George Smith, chief dentist for the Virginia Department of Corrections, is **ADDED as a defendant** to this action; plaintiff's "affidavit in support to amend the motion to compel after request for discovery" (docket #40) is **DENIED**; defendants Bassett, Pickerel, and Schilling's motion and supplement motion for summary judgment (docket #19, 23) are **GRANTED**; defendants Gilbert and Phipps' motion for summary judgment (docket #25) is **GRANTED**; plaintiff's complaint is **DISMISSED**; and the case is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to plaintiff and counsels of record for the defendants.

ENTER: This 9th day of December, 2008.

Jackson L. Kiser
Senior United States District Judge